

UNITED STATES DISTRICT COURT  
for the  
EASTERN DISTRICT OF NORTH CAROLINA

**U.S.A. vs. Michael Earl Eaton**

**Docket No. 7:16-CR-62-1BO**

**Petition for Action on Supervised Release**

COMES NOW Mindy L. Threlkeld, Senior U.S. Probation Officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Michael Earl Eaton, who, upon an earlier plea of guilty to 18 U.S.C. §2250(a), Failure to Register as Required Under the Sex Offender Registration and Notification Act, was sentenced by the Honorable Terrence W. Boyle, U.S. District Judge, on December 8, 2016, to the custody of the Bureau of Prisons for a term of 24 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for a period of 60 months.

On October 26, 2017, a memo was submitted to the court by the probation office outlying the fact that the defendant had a history of substance abuse and mental health issues along with a prior sex offense conviction. The defendant was presented with a waiver of hearing form with suggested additional conditions of supervised release which he refused to sign. It was requested that a hearing be held to address the possible modification of supervision.

Michael Earl Eaton was released from custody on December 22, 2017, at which time the term of supervised release commenced.

On January 5, 2018, a hearing was held in Raleigh before Your Honor and it was ordered that the defendant obtain a mental health assessment, a substance abuse assessment, a sex offender assessment, and a condition ordering the defendant to abstain from alcohol.

On March 27, 2018, the conditions of release were modified to include sex offender specific special conditions.

On April 10, 2018, the court was notified that the defendant had been arrested and charged with Driving While Impaired, Speeding 80/55, and Open Container After Consuming Alcohol 1<sup>st</sup> on April 3, 2018, in Bladen County, North Carolina. When confronted, the defendant originally denied drinking alcohol. The probation office requested additional time to investigate the pending charges before providing a recommendation to the court requesting any further action being taken.

**RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:** On April 17, 2018, the defendant reported to the probation to further discuss his most recent arrest for Driving While Impaired that was reported to the court on April 10, 2018. The defendant admitted to drinking alcohol prior to driving and stated he was ready to take responsibility for his actions and deal with his addiction. Treatment has been increased and it is requested that the defendant complete 5 days incarceration for his conduct.

The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

**PRAYING THAT THE COURT WILL ORDER** that supervised release be modified as follows:

1. The defendant shall be confined in the custody of the Bureau of Prisons for a period of 5 days, as arranged by the probation office and shall abide by all rules and regulations of the designated facility.

Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,

I declare under penalty of perjury that the foregoing  
is true and correct.

/s/ Eddie J. Smith  
Eddie J. Smith  
Supervising U.S. Probation Officer

/s/ Mindy L. Threlkeld  
Mindy L. Threlkeld  
Senior U.S. Probation Officer  
150 Rowan Street Suite 110  
Fayetteville, NC 28301  
Phone: 910-354-2539  
Executed On: April 17, 2018

**ORDER OF THE COURT**

Considered and ordered this 17 day of April, 2018, and ordered filed and  
made a part of the records in the above case.

Terrence W. Boyle  
Terrence W. Boyle  
U.S. District Judge